

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
AT MEMPHIS**

LOEB PROPERTIES, INC.,

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,

Defendant.

No.: 2:08-CV-2093-JPM-dkv

NOTICE OF APPEAL OF LOEB PROPERTIES, INC.

Pursuant to Rule 3 of the Federal Rules of Appellate Procedure, notice is hereby given that Loeb Properties, Inc., the Plaintiff in the above named case, appeals to the United States Court of Appeals for the Sixth Circuit from the Order Granting Defendant's Motion for Summary Judgment Order Denying Plaintiff's Motion for Summary Judgment (Document 31) and from the Judgment (Document 32) entered in this action on the 30th day of September, 2009.

Respectfully submitted,

s/William G. Whitman

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was forwarded via court's electronic filing system to Fred C. Statum III at 150 4th Avenue North, Nashville, TN, 37219 on this 29th day of October, 2009.

s/William G. Whitman _____
William G. Whitman